

REMARKS

By this amendment, claim 45 has been amended. Claims 1-44 have been previously cancelled and claims 46-50 have been previously withdrawn from further consideration. Accordingly, claims 45 and 51 are currently pending in the application, of which claims 45 and 51 are independent claims.

Entry of this Amendment is respectfully requested because it places the present application in condition for allowance, or in the alternative, better form for appeal. In view of the above Amendments and the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Rejections Under 35 U.S.C. §102

Claims 45 stands rejected under 35 U.S.C. §102(e) as being anticipated by U. S. Patent No. 6,583,843 to Ishino ("Ishino"). This rejection is respectfully traversed at least for the following reasons.

In the Office Action, the Examiner determined that Ishino is directly or indirectly resulting from an international (PCT) application filed before November 29, 2000, and asserted that the priority date of Ishino is the date when Japanese priority application was filed. This assertion is respectfully disagreed with.

An international (PCT) application is different from a non-provisional application claiming priority from a foreign application. Applicants believe that Ishino is not resulting from an international (PCT) application. Ishino was filed as a non-provisional application in February 10, 1999, claiming priority from Japanese Patent Application. Thus, Ishino's foreign priority cannot be used as 35 U.S.C. §102(e) reference date (MPEP 2136.03).

This application claims priority from Korean Patent Application No. 1998-34585, which was filed on August 26, 1998. Since the priority date of this application antedates Ishino's filing date, February 10, 1999, it is submitted that Ishino does not qualify as prior art under 35 U.S.C. §102(e). Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. §102(e) of claim 45.

Double Patenting

Claims 45 and 51 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 17 and 37 of U. S. Patent No. 6,587,166 issued to Lee, *et al.* ("Lee"). Applicants respectfully traverses this rejection for at least the following reasons.

To obviate the double patenting rejection, Applicants timely submit a Terminal Disclaimer, attached hereafter. Accordingly, Applicants respectfully request withdrawal of the double patenting rejection of claims 45 and 51.

Other Matters

In this response, claim 45 has been amended to correct the informalities therein.

CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submit that all of the stated grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicant's undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,



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Attachment: TERMINAL DISCLAIMER

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